

STATE OF WASHINGTON  
GAMBLING COMMISSION

In the Matter of the Suspension of the License  
to Conduct Gambling Activities of:

Valley Tavern  
Tacoma, Washington,  
Licensee.

NO. CR 2010-01002

**NOTICE OF ADMINISTRATIVE  
CHARGES AND OPPORTUNITY  
FOR AN ADJUDICATIVE  
PROCEEDING**

I.

The Washington State Gambling Commission issued Valley Tavern, organization number 00-09542, license number 05-04603, authorizing Class "B" Punchboard Pull-Tab activity. The license expires on June 30, 2011, and was issued subject to the licensee's compliance with state gambling laws and regulations.

II.

Rick Day, Director of the Washington State Gambling Commission, charges the licensee with the following violations of the Washington State Gambling Act, 9.46 RCW, and WAC Title 230:

1) The licensee failed to timely submit its punchboard/pull-tab activity report for the first and second quarters of 2010. The activity report was due at our administrative office or needed to be postmarked by July 30, 2010. However, the activity report was not postmarked until August 7, 2010, and was not received until August 9, 2010, in violation of WAC 230-14-284(2).

2) The licensee has the following administrative history:

- In August 2007, a Commission Special Agent (agent) issued a Notice of Violation and Settlement (NOVAS)<sup>1</sup> to the licensee for failing to timely submit its punchboard/pull-tab activity report for the first and second quarters of 2007.
- In February 2007, an agent issued a NOVAS to the licensee for failing to timely submit its punchboard/pull-tab activity report for the third and fourth quarters of 2006.

3) Valley Tavern's failure to timely submit its activity reports demonstrates the licensee's willful disregard for complying with state administrative rules. Therefore, grounds exist for the suspension of Valley Tavern's license to conduct gambling activities, based on RCW 9.46.075(1) and WAC 230-03-085(1), (3), and (7).

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<sup>1</sup> A NOVAS identifies the violation, and in this case, gives the recipient the opportunity to pay a fine and submit its delinquent report to settle the matter.

**RCW 9.46.075(1) Denying, suspending, or revoking a license or permit**

The Commission may deny an application, or suspend or revoke any license or permit issued by it, for any reason or reasons, it deems to be in the public interest. These reasons shall include, but not be limited to, cases wherein the applicant or licensee, or any person with any interest therein: (The following subsections apply.)

(1) Violated, failed or refused to comply with the provisions, requirements, conditions, limitations or duties imposed by chapter 9.46 RCW and any amendments thereto, or any rules adopted by the Commission pursuant thereto, or when a violation of any provision of chapter 9.46 RCW, or any Commission rule, has occurred upon any premises occupied or operated by any such person or over which he or she has substantial control.

**WAC 230-03-085 Denying, suspending, or revoking a license or permit**

We may deny, suspend, or revoke any application, license or permit, when the applicant, licensee, or anyone holding a substantial interest in the applicant's or licensee's business or organization:

(The following subsections apply.)

(1) Commits any act that constitutes grounds for denying, suspending, or revoking licenses or permits under RCW 9.46.075.

(3) Has demonstrated willful disregard for complying with ordinances, statutes, administrative rules, or court orders, whether at the local, state, or federal level.

(7) Fails to provide us with any information required under commission rules within the time required, or, if the rule establishes no time limit, within thirty days after receiving a written request from us.

**WAC 230-14-284 Activity reports for punchboard and pull-tab licensees**

Punchboards and pull-tab licensees must submit an activity report to the Commission. Licensees must complete the report in the format we require and must:

(The following subsections apply.)

(1) Cover the periods: (a) January 1 through June 30; and (b) July 1 through December 31; and

(2) Be received at our administrative office or postmarked no later than thirty days following the end of the reporting period.

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Jurisdiction of this proceeding is based on 9.46 RCW, Gambling, chapter 34.05 RCW, the Administrative Procedure Act, and WAC Title 230.

**In order to have a hearing or discuss settlement options**, the enclosed request for hearing must be completed and returned to the Gambling Commission **within 23 days** from the date of the mailing of this notice.

STATE OF WASHINGTON )  
 ) ss.  
COUNTY OF THURSTON )

  
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RICK DAY, DIRECTOR

Margaret  
Frederick